



## **Austin City Council MINUTES**

**NOVEMBER 19, 1992 - 1:00 P.M.**

### **MEETING CALLED TO ORDER - 1:00 P.M.**

Mayor Todd called to order the meeting of the Council, noting the presence of all members.

### **MINUTES APPROVED**

1. Approval of Minutes for Regular Meeting of November 12, 1992.

On Councilmember Larson's motion, Councilmember Garcia's second, 5-0 Vote, Mayor Pro Tem Urdy and Councilmember Epstein out of the room.

### **SECOND GRADE CLASSES RECOGNIZED**

Mayor Todd recognized the presence of the second grade classes from Great Hills Christian School, who were visiting the Council Chamber.

### **CITIZEN COMMUNICATIONS: GENERAL**

2. Mr. Charles T. Waits, Jr., to discuss taxes.
3. Mr. Leonard Lyons, to discuss business as usual at City Hall.
4. Mr. Henry Ratliff, to discuss City problems.
5. Mr. Lance Winters, to discuss the City's legislative program.
6. Mr. Doug Zachary, to discuss whim.
7. Mr. Donald Hultman, to discuss the homeless. Not present.
8. Mr. Luthor Carpenter, to discuss Tales of the Crystal Palace - Scene 6.

9. Ms. Elizabeth Rogers, to discuss job discrimination and how it leads to homelessness, especially among the mentally disabled who can't get adequate mental health care in Austin.
10. Mr. Richard Trachtenberg, to discuss current City issues.
11. Ms. Lynn Goodman-Strauss Sanders, to discuss our lost brothers and sisters on our streets of Austin and the personal responsibility and action we can undertake on their budget if we choose to do so.

#### BOARD AND COMMISSION REPORTS

12. BRACKENRIDGE HOSPITAL BOARD - Mr. Chris Eakle, Secretary, to discuss Brackenridge Hospital Restructuring.

Postponed to December 3, 1992.

13. HEALTH CARE TASK FORCE - Mr. Kevin Reed, Chair, to provide an update on Committee recommendation on Health Care Delivery and Financing.

Postponed to December 3, 1992.

#### ITEMS CONTINUED FROM PREVIOUS MEETINGS

14. Approve a resolution to modify the order of the regular City Council agenda to include live music following the Call to Order.  
(Councilmember Michael "Max" Nofziger and Mayor Bruce Todd)

On Councilmember Nofziger's motion, Councilmember Epstein's second, to begin first Council meeting of 1993 and change wording of resolution to read, "immediately preceding the call to order."

15. Approve a resolution referring the approval of the construction of the South Austin Outfall Phase II CIP Project to the voters of the City of Austin for consideration at the election of May 1, 1993.  
(Councilmembers Michael "Max" Nofziger and Gus Garcia)

FAILED - On Councilmember Garcia's motion, Councilmember Nofziger's second, 3-4 Vote, Mayor Pro Tem Urdy, Councilmembers Epstein, Larson and Reynolds voted No.

#### ORDINANCES

16. Approve second/third readings of an ordinance amending Chapter 13-2 of the Austin City Code rezoning property locally known as 2809 West William Canon Drive, Case No. C14-91-0072, from SF-3, Family

Residence to MF-1, Multifamily Residence (limited density), MCNEIL INVESTORS, INC., by Mike McHone. First reading on May 7, 1992; Vote 7-0. Conditions met as follows: Restrictive Covenant incorporating conditions imposed by Council has been executed.

17. Amend the City Code by modifying the Basic Traffic Ordinance, Chapter 16-2, Article IV - Speed Limits, for the installation of a 20 mph school zone on North Hampton Drive adjacent to Pearce Middle School. (Funding in the amount of \$1500 for flashing signal equipment is available in the 1992-93 operating budget of the Department of Public Works and Transportation)

#16-17 on Councilmember Garcia's motion, Councilmember Larson's second 7-0 Vote.

18. Amend Ordinance No. 920604-A to adopt a supplement to the Code of the City of Austin, 1992.

Pulled off the agenda.

19. Authorize acceptance of \$31,020 in grant funds from the Texas Department of Health, Community and Rural Health, for expanding health education and outreach activities; amend Ordinance 920922-E, the 1992-93 operating budget, amending the Special Revenue Fund by appropriating \$31,020 for the Health and Human Services Department Special Revenue Fund; and authorizing one (1.0) grant funded full-time position.
20. Authorize acceptance of a grant from the Texas Water Commission, in the amount of \$165,200 for the Household Hazardous Waste Collection Program; and amend Ordinance No. 920922-E, the 1992-93 operating budget by appropriating \$165,200 to the Environmental and Conservation Services Department Special Revenue Fund and adding 3.0 full-time employees for the grant period. (A City match is not required.) [Reviewed by Solid Waste Advisory Commission; recommended by Environmental Board]
21. Approve an amendment to add Section 13-3-6 to Chapter 13-3, Land Development Code to codify existing policies and practices for issuance of water and sewer tap permits, e.g. prohibiting connection to the Water or Wastewater Utility System without having first secured a house connection (tap) permit; providing procedures for issuance, denial and expiration of water and wastewater tap permits; providing application requirements; providing for collection and refund of tap permit fees. (Recommended by Impact Fee Advisory Committee and Water and Wastewater Commission)
22. Approve an amendment to Section 13-3A-10 of the Capital Recovery Fee Ordinance (Chapter 13-3A, Land Development Code) to provide a two year exemption from Water Capital Recovery Fees (CRF) for annexed

areas served by the existing on-site water wells(s). [Estimated decrease in revenue is \$33,000 per year; to be recovered through future increased water sales.] (Recommended by Impact Fee Advisory Committee and Water and Wastewater Commission)

**Safe Water Drinking Act Improvements (Items 23-25)**

23. Amend Ordinance No. 920922-A, the 1992-93 Capital Budget, to increase the appropriation of the Safe Drinking Water Act (SDWA) improvements from \$9 million to \$21 million. (Funding provided by 1992 Revenue Bonds) [Recommended by Water and Wastewater Commission and Planning Commission]

**RESOLUTIONS**

24. Declare the official intent of the City of Austin to reimburse certain Water and Wastewater CIP funds to facilitate the award of contracts for Safe Drinking Water Act improvements prior to the planned issuance of 1992 Utility Revenue Bonds. (Funding in the amount of \$21 million included in various Water and Wastewater CIP funds.)

#19-24 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

25. Approve a construction contract award to MW BUILDERS, Temple, Texas, for modifications to surface water at the Davis Water Treatment Plant, to comply with the Safe Drinking Water Act, in an amount not to exceed \$7,754,200. (Funding included in CIP 395-227-7130-Water and Wastewater Utility) Low bid of four (4). 8.07% MBE, 16.61% WBE Subcontractor participation. (Recommended by Water and Wastewater Commission)

On Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

26. Approve execution of a construction contract award to CAPITAL EXCAVATION COMPANY, Austin, Texas, for bridge installation and abutment construction for the Town Lake Pedestrian Bridge Replacements Project, in the amount of \$120,362.50. (Funding in the amount of \$85,362.50 included in CIP 823-867-0031; \$35,000 included in CIP 823-867-0880.) Low bid of four (4). 2.59% MBE, 23.10% WBE Subcontractor participation.

27. Approve a construction contract award to CAPITAL EXCAVATION COMPANY, Austin, Texas, for intersection improvements at Rundberg Lane and Lamar Boulevard for a Transportation Systems Management Project, in the amount of \$153,801.60. [Funding in the amount of \$148,301.60

included in CIP 825-607-2026 (Public Works); \$5,500 included in CIP 388-227-0996 (Water Fund)]. Low bid of three (3). 15.5% MBE, 8.08% WBE Subcontractor participation.

¶26-27 on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

28. Approve negotiation and execution of an Intergovernmental Agreement with Lavaca-Navidad River Authority, sponsor of the South Central Area Trans-Texas Water Program, and participation in the Trans-Texas Water Plan Project, in an amount not to exceed \$62,500, contingent upon participation by the Lower Colorado River Authority in a like amount. (Funding available in the 1992-93 operating budget of the Water and Wastewater Utility) [Recommended by Water and Wastewater Commission]

Postponed to December 3, 1992.

29. Approve the negotiation and execution of a contract with COMPUTER ASSISTANCE, a division of Coopers & Lybrand, Dallas, Texas, for the purchase of a System Development Methodology which provides a standardized approach to the development of a business automation system which will improve efficiency for the Information Systems Department, in an amount not to exceed \$79,360. (Funding is included in the 1992-93 Capital Budget for the Electric Utility) Best proposal of twelve (12) No M/WBE subcontracting opportunities were identified. Reference No. 920222-3JR.
30. Approve the negotiation and execution of a contract with BGS SYSTEMS, INC., Waltham, Massachusetts, for the purchase of Capacity Planning Software and a one (1) year software license for the Information Systems Department, in an amount not to exceed \$120,870. (Funding is available in the 1992-93 operating budget for the Information Systems Department.) Best proposal of five (5). No M/WBE subcontracting opportunities were identified. Reference No. 920897-3JR.
31. Approve execution of a twelve (12) month supply agreement with BOUND TO STAY BOUND BOOKS, INC., Jacksonville, Illinois, for prebound juvenile books for member libraries of the Central Texas Library System, in an amount not to exceed \$62,500, including the option to extend thereafter for up to two (2) additional twelve (12) month periods, in an amount not to exceed \$62,500 per extension, for a total amount not to exceed \$187,500. (Funding available in the 1992-93 operating budget of the Library Department.) Low bid of three (3). No M/WBE subcontracting opportunities were identified. Reference No. 921021-3SS.
32. Approve a twelve (12) month extension to the existing service agreement with PRINTRAK INTERNATIONAL, Anaheim, California, for

maintenance service for the Austin Police Department's automated fingerprint identification system, in an amount not to exceed \$106,524. (Funding is available in the 1992-93 operating budget of the Police Department; funding for the remainder of the original contract period will be contingent upon future available funding in the 1993-94 budget.)

33. Approve execution of a twelve (12) month supply agreement with CASCO INDUSTRIES, New Braunfels, Texas, for the purchase of bunker coats and bunker pants for use by the Fire Department, in an amount not to exceed \$102,663, with the option to extend thereafter for one (1) additional twelve (12) month period, in an amount not to exceed \$102,663, for a total amount not to exceed \$205,326. (Funding is available in the 1992-93 operating budget of the Fire Department; funding for the extension option will be requested in future budgets.) Low bid of nine (9) meeting specifications. No M/WBE subcontracting opportunities were identified. Reference No. 921091-1B0.

#29-33 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

34. Approve a construction contract award to TANK SYSTEMS, INC., Austin, Texas, for the construction of a ventilation system in the Boiler/Mechanical Room at Brackenridge Hospital, in the amount of \$82,700. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Lowest responsive bid of two (2). 0% MBE, 7.50% WBE subcontractor participation.

Pulled off agenda.

35. Approve the selection of BLGY, INCORPORATED ARCHITECTS, ENGINEERS AND PLANNERS (MBE), Austin, Texas, for negotiation and execution of a contract to provide architectural design and construction phase services for the Central Austin Medical Complex, in an estimated amount of \$561,000. (Funding is available in the 1992-93 operating budget of Brackenridge Hospital.) Best proposal of nineteen (19). 13% MBE, 5% WBE subcontractor participation. (Recommended by Hospital Board)

Pulled off agenda.

36. Authorize approval of an Executive Search Placement Service Firm for the position of Administrator at Brackenridge Hospital, in an amount not to exceed \$34,000. (Funding available in the 1992-93 Operating Budget of Brackenridge Hospital.)

37. Set a City Council Planning Worksession. (Suggested date and time: November 24, 1992 at 9:30 a.m.)

#36-37 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

38. Set a public hearing for consideration of the application by Lifeline Ambulance, Inc. for a non-emergency medical transfer service franchise. (Suggested date and time: December 10, 1992 at 5:30 p.m.) [Reviewed by Quality Assurance Team; recommended by Urban Transportation Commission]

On Councilmember Epstein's motion, Councilmember Reynolds' second, 7-0 Vote.

39. Set a public hearing to receive citizen comments regarding the proposed annual Comprehensive Housing Affordability Strategy (CHAS). [Suggested date and time: December 10, 1992 at 3:00 p.m.]

On Councilmember Garcia's motion, Councilmember Epstein's second, 7-0 Vote.

40. Set a public hearing to amend Chapters 13-1 and 13-8 of the Land Development Code by eliminating duplicative language and simplifying notice provisions for Chapter 13-8 appeals (Technical Code). [Suggested date and time: December 10, 1992 at 4:30 p.m.] (Recommended by Planning Commission)

41. Set a public hearing to amend Title XIII (Land Development Code) of the Austin City Code of 1992 by adding a new section, which establishes criteria for excepting certain properties from the subdivision platting requirements. (Suggested date and time: December 17, 1992 at 4:30 p.m.) [To be reviewed by Planning Commission on November 24, 1992]

#40-41 on Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

3:00 P.M. - /ELECTRIC UTILITY (Items 42-54) [These items to be reviewed by Electric Utility Commission on November 16, 1992]

42. Electric Utility Commission Report - Phil Hofman, Vice-Chair, reported.
43. Resource Management Commission - Glenn Crow, Chair, reported.
44. Utility Receivable Report - Report by Betty Dunkerley, Director of Finance.

45. Monthly Management Report - Report by John Moore, Director, Electric Utility.
46. Approve the selection of ASEC, INC., Fort Worth, Texas, to provide professional engineering services for the load rating and structural assessment of steel lattice towers and additional electrical transmission facilities, in the amount of \$250,000. (Funding is included in the 1992-93 Capital Budget for the Electric Utility Department.) Best qualification statement of eleven (11). 9% MBE, 5% WBE Subcontractor participation.
47. Approve the selection of RADIAN CORPORATION, Austin, Texas, to provide professional services for equipment upgrade relating to the boiler water and feedwater chemistry at the Holly Street and Decker Creek Power Plants, in the amount of \$400,000. (Funding is available in the 1992-93 Capital Budget for the Electric Utility Department.) Best qualification statement of three (3). 10% MBE, 5% WBE subcontractor participation.
48. Approve the proposed route and authorize the Electric Utility Department to proceed with the proposed route for the Lytton Springs to Slaughter Lane 138kv transmission line project. (Recommended by Environmental Board and Planning Commission)
49. Approve execution of twelve (12) month supply agreements with TECHLINE INC., Austin, Texas, in the amount of \$170,294 and GENERAL ELECTRIC SUPPLY COMPANY, San Antonio, Texas, in the amount of \$80,607, for the purchase of luminaries and related supplies, with the option to extend for one (1) additional twelve (12) month period, in the amount of \$170,294 and \$80,607 respectively, for a total amount of \$501,802. (Funding is available in the 1992-93 operating budget of the Electric Utility Department; funding for the extension option is contingent upon availability of funding in the 1993-94 budget.) Low bid of eight (8). No M/WBE subcontracting opportunities were identified. Reference No. 92110-1RW.
50. Approve execution of a twelve (12) month service agreement with ANTHONY CRANE RENTAL OF TEXAS, INC., Ft. Worth, Texas, for the lease and maintenance of ten (10) classes of cranes, in an estimated amount of \$128,820, with the option to extend for an additional two (2) twelve (12) month extension periods, in an estimated amount of \$128,820 per extension, for a total estimated amount of \$386,460. (Funding is included in the 1991-92 Capital budget for the Electric Utility Department.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 920954-3SA.
51. Approve execution of a contract with RACAL-CHUBB, Austin, Texas, for the repair and upgrade of the existing gate access control and security system at the Decker, Holly and Seaholm Power Plants, in an amount not to exceed \$75,195.03. (Funding is included in the



1991-92 Capital Budget for the Electric Utility Department.) Single bid. No M/WBE subcontracting opportunities were identified. Reference No. 921123-3CM.

52. Approve ratification of an emergency contract with HAZCORP ENVIRONMENTAL, Austin, Texas, for the removal and disposal of oil contaminated soil at the Holly Power Plant, in the amount of \$358,228.68. (Funding is available in the 1992-93 operating budget of the Electric Utility Department.) Low bid of seven (7). 14% MBE, 0% WBE subcontractor participation. Reference No. 1100012460.
53. Approve execution of a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY, San Antonio, Texas, for the purchase of twenty-two (22) submersible network protectors, in the amount of \$438,397.97. (Funding is included in the 1992-93 Capital Budget for the Electric Utility Department.) Low bid of two (2). No M/WBE subcontracting opportunities were identified. Reference No. 921154-1CM.
54. Approve execution of a contract with WESTINGHOUSE ELECTRIC SUPPLY COMPANY, San Antonio, Texas, for the purchase of two (2) power distribution transformers, in the amount of \$82,154. (Funding is included in the 1992-93 Capital budget for the Electric Utility Department.) Low bid of seven (7). No M/WBE subcontracting opportunities were identified. Reference No. 921109-1CM.

#46-54 on Councilmember Epstein's motion, Councilmember Garcia's second, 7-0 Vote.

#### ITEMS FROM COUNCIL

55. Approve a resolution to co-sponsor "The Children Giving to Children Parade" on December 5, 1992. (Councilmembers Louise Epstein and Ronney Reynolds)

On Councilmember Epstein's motion, Councilmember Reynolds' second, 6-0-1 Vote, Mayor Todd abstained.

56. Approve the nomination of Jett Hanna to the Ethics Commission. (Councilmember Michael "Max" Nofziger)

On Councilmember Garcia's motion, Councilmember Larson's second, 7-0 Vote.

65. Authorize execution of a License Agreement with Southwestern Bell Telephone Company for a crossing of the City-owned railroad right-of-way at AU & NW Milepost 53.54, with waiver of annual fees for said license. (Councilmembers Louise Epstein and Gus Garcia)

Postponed to November 24, 1992.

66. Authorize execution of a License Agreement with Southwestern Bell Telephone Company for a crossing of the City-owned railroad right-of-way at AU & NW Milepost 55.68 with waiver of annual fees for said license. (Councilmembers Louise Epstein and Gus Garcia)

Postponed to November 24, 1992.

67. Direct the City Manager to review slope and soil stability issues relating to the Little Walnut Creek erosion control Master Plan and to perform an expeditious design and construction of the improvements. (Councilmember Ronney Reynolds and Mayor Pro Tem Charles Urdy)

On Councilmember Reynolds' motion, Councilmember Garcia's second, 7-0 Vote.

4:00 P.M. - ZONING HEARINGS AND APPROVAL OF ORDINANCES

57. C14-92-0090 - FIRST CITY ASSET SERVICES (Bill Romney), by Bury & Pittman (James Knight), 3201 Duval Road. From CS-1 and LI to MF-3 and GR. Planning Commission Recommendation: To grant MF-3 Multi-family Residence (medium density) for Tract 1 and GR, Community Commercial for Tract 2.

Postponed to December 17, 1992.

RECESS - Council recessed from 6:00 to 6:30 P.M., on Councilmember Garcia's motion, Councilmember Reynolds' second, 7-0 Vote.

PUBLIC HEARINGS AND APPROVAL OF ORDINANCES/RESOLUTIONS

South Austin Outfall (Items 58-60)

58. 5:00 P.M. - Approve a 2.363 acre sanitary sewer and a 6.147 acre temporary workspace easement for the construction of and maintenance of the South Austin Outfall Relief Main, Phase II through dedicated parkland known as Town Lake Park and Zilker Park, in accordance with Sec. 26.001 of the Texas Parks and Wildlife Code. (Reviewed by Water and Wastewater Commission and Parks Board.)
59. Approve a construction contract to OSCAR RENDA CONTRACTING, INC., Roanoke, Texas, for construction of a 48-inch interceptor for the South Austin Outfall Relief Main, Phase II, in the amount of \$2,652,205. (Funding is included in the 1991-92 Capital Budget of the Water and Wastewater Utility.) Low bid of seven (7). 39.88% MBE, 5.05% WBE Subcontractor participation. (Reviewed by Water and Wastewater Commission; to be reviewed by Parks Board on November 10, 1992).

60. Approve Supplemental Amendment #2 to the Agreement with the University of Texas Archaeological Research Laboratory, Austin, Texas, for archaeological monitoring of the construction of the South Austin Outfall, in the maximum amount of \$40,000, for a total amount of \$131,794.70. (Funding is included in the 1992-93 Capital Budget of the Water and Wastewater Utility.) (Reviewed by Water and Wastewater Commission)

Public hearing continued to December 2, 1992 from 5:00 P.M. to Midnight, if necessary, and December 3, 1992 (if necessary) from 5:30 P.M. to last speaker. People who left the public hearing early and did not speak, may do so on December 2, 1992 or December 3, 1992.

**EXECUTIVE SESSION** (No Public Discussion on These Items)

No Executive Session.

The City Council will announce that it will go into Executive Session, if necessary, pursuant to Article 6252-17, Texas Revised Civil Statutes Annotated to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation and personnel matters. No final action will be taken on any subject or matter unless specifically listed on the agenda for this meeting.

**EXECUTIVE SESSION** (No Public Discussion on These Items)

Pending/Contemplated Litigation, Section 2, Paragraph e

61. Discussion of State of Texas v. City of Austin, Cause No. 477-213.  
62. Discussion of Roderick Tanner et al v. City of Austin, et al, Cause No. 92-11228.

Land Acquisition, Section 2, Paragraph f

63. Discussion of proposed land acquisition of 3.19 acres located along West First Street near Sand Beach Reserve.  
64. Discussion of Central Austin Medical Complex

**12:05 A.M. - ADJOURN** - On Councilmember Reynolds' motion, Councilmember Epstein's second, 7-0 Vote.

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